

COMMISSIONERS PROCEEDINGS
JUNE 29, 2004
CLARK COUNTY, WASHINGTON

The Board convened in the Commissioners' Hearing Room, 6th Floor, Public Service Center, 1300 Franklin Street, Vancouver, Washington. Commissioners Stanton and Pridemore, present.
Commissioner Morris absent.

PROCLAMATION

Commissioner Stanton read a proclamation declaring the month of June 2004 as Trails Month in Clark County, Washington.

Florence Wager, Vancouver-Clark Parks and Recreation Advisory Commission, accepted. She explained the importance of fighting the obesity epidemic by having trails, greenways, bike paths, parks, and recreation in our community. She also stated they are in the process of making it easier for citizens to walk in Clark County.

Bill Byrd, Chairman, Vancouver Discovery Walk, said he appreciated the City and County support of the Discovery Walk and walking in general. He explained the upcoming events for the future Discovery Walks. He also talked about the various people that are visiting Vancouver and the surrounding areas to experience the trails that we have.

Convened as the Board of Health

PRESENTATION

Commissioner Stanton presented Health Department Director, Kay Koontz, the Washington State Association of Local Public Health Officials' Award for Excellence in Public Health. The award was presented at the association's June 22, 2004 luncheon in Tacoma. It recognizes her significant contributions to public health throughout her career, including her 24 years with public health in Clark County. Kay Koontz accepted the award and said she appreciated the recognition from the people that really know her and her achievements. She stated her achievements have been achieved with a team; her husband, Don and her children, and the public health staff. She also shared her experiences and obstacles that occurrence throughout her career.

Stanton stated she remembered being on the selection committee when they found Kay and it's been a pleasure watching her career especially with the obstacles she has been presented with, including the Board's decision to change from a district to a department of the county.

Bill Barron, County Administrator acknowledged Kay for her distinguished public career. He stated Kay is retiring next month. He thanked her for her legacy of excellence in Public Service and warmest wishes for her retirement.

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Pridemore commended her positive solutions to the externally driven obstacles that were presented to her. He stated he was proud to work with her and wished her best wishes in the future.

PUBLIC COMMENT

There was no public comment.

CONSENT AGENDA

Dr. Karen Steingart, MD, MPH, Health Officer introduced Dr. Dave Cundiff MD, MPH as Acting Health Officer effective July 1, 2004.

There being no public comment, **MOVED** by Pridemore to approve consent agenda items 1 through 8. Members Stanton and Pridemore voted aye. Motion carried. (See Tape 108)

The Board of Health adjourned and convened as the Board of County Commissioners'

PLEDGE OF ALLEGIANCE

The Commissioners conducted the Flag Salute.

BID AWARD 2375

Reconvened a public hearing for Bid Award 2375 – Re-Bid Canyon Creek Generator for CRESA. Mike Westerman, General Services, read a memo recommending that Bid 2375 be awarded to the lowest responsive bidder meeting all specifications.

Pridemore asked if that included option one.

Westerman said option one is the same price for either one and both of them were for cleaning the fuel tank.

There being no public comment, **MOVED** by Pridemore to award Bid 2375 to Davinci, Inc., of Portland, Oregon, in the total bid amount of \$70,220.40, including Washington State sales tax and to grant authority to the County Administrator to sign all bid-related contracts. Commissioners Stanton and Pridemore voted aye. Motion carried. (See Tape 108)

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BID AWARD 2372

Reconvened a public hearing for Bid Award 2372 – Clark County Center for Community Health. Mike Westerman, General Services, read a memo recommending that Bid 2372 be awarded to the lowest bidder. There being no public comment, **MOVED** by Pridemore to award Bid 2372 to Swinerton Builders Northwest, Inc., of Portland, Oregon, in the total bid amount of \$27,967,572.62, including Washington State sales tax and to grant authority to the County Administrator to sign all bid-related contracts. Commissioners Stanton and Pridemore voted aye. Motion carried. (See Tape 108)

PUBLIC COMMENT

Don Cannard, of Vancouver, presented State of the Birds Report provided by Audubon Washington.

Sue Svendsen, Clark County Executive Horse Council, presented a book that she discussed at the June 9, 2004 work session. The book is an introduction to services that are available to people with horses, including information on the mud and manure classes. She stated appreciation for keeping the trails equestrian friendly.

CONSENT AGENDA

Pridemore asked for more information on pulling consent item #14

Donna Mason, City / County Cable TV Director, stated she hadn't been directly involved with the item, but has seen correspondence between Fort Vancouver Leadership and Lori Volkman, Prosecuting Attorney's Office. She said Fort Vancouver TV wanted a change in the rate of disbursement of the remaining funds. They are currently working on it and the item should return to the board next week.

Stanton confirmed the request to pull the item was on their part.

Mason confirmed that was correct.

There being no public comment, **MOVED** by Pridemore to approve consent agenda items 1 through 21, pulled item # 14. Commissioners Stanton and Pridemore voted aye. Motion carried. (See Tape 108)

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PUBLIC MEETING: MAYER ESTATES SUBDIVISION PLD2004-00004; SEPT 2004-00005;
WET2004-00012; HAB2004-00007

Held a public meeting to consider an appeal of the Clark County Land Use Hearing Examiner's decision regarding the application for a preliminary plat to subdivide an approximate 11.33 acre parcel into 42 single-family residential lots in the R1-7.5 zone district.

The Board received no public comment, oral or written, at this meeting.

Commissioners Stanton and Pridemore certified reading of the record.

Stanton stated two appellants submitted a letter jointly discussing three main issues with a number of sub issues under each of them. On the issue of traffic, there was a concern about speeding in the area, sight distance, and about accidents that don't get reported implying a low accident rate.

Pridemore stated the appeal issues raised are very similar to other appeals previously brought to the board. He stated the issue of speeding is not a development issue; it is a law enforcement issue. The accident rate has been reviewed and considered by staff, however, it is not found to be an issue currently or projected to be. He said the sight distance issues will be alleviated through the course of development, at least within the scope of this development. He stated he didn't see any reason to overturn the Hearing Examiner.

Stanton asked Mr. Lowry about the rise in the road. She said part of the mitigation is to take rise out and since only a half width is being improved, does the whole width of the road have to be improved in order to take the rise out?

Rich Lowry, Prosecuting Attorney, said that it is unsure if that is known at this point. It would be known at the time of final engineering, but they would have to do whatever width is necessary in order to put the road back.

Pridemore stated they will have to do the whole road.

Lowry said he would think so.

Stanton said the concern expressed by the appellants was the impact on the driveways on their sides of the road.

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Lowry said that was an issue that will have to be dealt with, but it's a final engineering issue.

Stanton said it has been determined that the mitigation will improve the sight distance to the point that this is approvable. She agreed the speeding is an issue that is all over the county, it is not specific to this particular application. She stated the long term fix is a long way out but so are a lot of fixes in the community, the reality of funding for all of the projects on our list that have been identified allows us to do only a small number of those. She confirmed the applicant did a traffic study, however, after reviewing the record and what the Hearing Examiner's commented on, all of the requirements that the county has in place were met. She said the improvements they do have to make is the sight distance on 114th / 16th Street. She stated she didn't find any reason to overturn the Hearing Examiner on the issue of transportation or traffic.

Stanton stated the next issue in the letter of appeal was Wetlands and the concern that there were more wetlands than what was found by the County Wetland Biologist. She said it was clear from reading the record that the County Wetland Biologist's visit was to confirm the boundaries were mapped correctly and determine the adequacy of the wetland buffers. She stated some of the conditions that the Hearing Examiner's put on approval show the buffer wasn't adequately identified for the wetlands, so that is going to be a requirement that would be on the final plat, however the conditions that are in place support the decision of the Hearing Examiner.

Pridemore agreed. He stated the challenge in this is we don't accept word of mouth, beliefs, or assumptions about these kinds of things. He said he is struggling with it because it comes up with the SEPA issues and the statements made in the appeal letter.

Stanton said there was no evidence in the record to support any contention that in the past there have been additional wetlands. She said she couldn't overturn the Hearing Examiner's decision based on the information provided.

Stanton continued the discussion to the third item, Wildlife / Environmental issues. She said it is recognized by the appellants there was not a timely appeal of the SEPA decision.

Pridemore stated there wasn't a SEPA appeal. He said staff adequately applied the habitat conservation ordinance and made recommendations the Hearing Examiner included in the final order. He agreed the issues were adequately addressed.

Stanton discussed the habitat located away from the site and the wildlife moving east / west, north / south as well as the stream corridor. She stated there isn't a law that says that we need to leave a corridor running the other direction. She said she can't overturn on that issue either.

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Pridemore agreed that we don't have a law, but it might be something we should be looking at through the build-out vision of Clark County. However, under this he couldn't find a reason to overturn the Hearing Examiner.

Stanton stated the habitat conservation ordinance that is being applied is trying to achieve preserving the habitat along the streams, leaving an adequate corridor for wildlife. She stated it was being applied appropriately and she couldn't overturn the Hearing Examiner on that issue.

Lowry confirmed they had the additional comment letter dated June 15, 2004 which asks to keep the record open so the engineering can be accomplished, however that is not how our process works.

Stanton asked Mr. Lowry if he meant June 25, 2004.

Lowry said yes.

Stanton said that letter is particular to the engineering fix for the roadway which was a big concern. She said she understood the issue as a concern which needs to be dealt with together with the neighbors.

MOVED by Pridemore to uphold the hearings examiner's decision on the matter of Mayer Estates Subdivision. Commissioners Stanton and Pridemore voted aye. Motion carried. (See Tape 108)

BOARD OF COUNTY COMMISSIONERS

Betty Sue Morris, Chair

Judie Stanton/s/
Judie Stanton, Commissioner

Craig A. Pridemore/s/
Craig A. Pridemore, Commissioner

ATTEST:

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Louise Richards/s/
Clerk of the Board

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